

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**EDITH SALMERON, on Behalf of Herself §  
and on Behalf of All Others Similarly §  
Situating, §**

**Plaintiff, §**

**V. §**

**ALLIANCE FOR MULTICULTURAL §  
COMMUNITY SERVICES, §**

**Defendant. §**

**CIVIL ACTION NO. : 4:23-cv-2266**

**DECLARATION OF BEATRIZ SOSA-MORRIS**

The Undersigned declares as follows:

1. My name is Beatriz Sosa-Morris. I am over the age of twenty-one years, of sound mind, and competent to make this affidavit. I swear under penalty of perjury that the facts stated within this declaration are within my personal knowledge and are true and correct.
2. I am a founding partner of Sosa-Morris Neuman, PLLC. I have been licensed for over thirteen years. I am an attorney in good standing admitted to practice in the State of Texas and in the State of Georgia. Additionally, I am admitted into the following federal courts: Fifth Circuit Court of Appeals, Southern District of Texas, Western District of Texas, Eastern District of Texas, and the Northern District of Texas. In my career, I have also been admitted *pro hac vice* in numerous other federal districts including the Eastern District of Louisiana, Western District of Louisiana, the District of Arizona, Western District of Oklahoma, Southern District of Florida and other courts.
3. Throughout my career, I have litigated many aspects of Fair Labor Standards Act ("FLSA"), including but not limited to, misclassification issues, exemptions, waivers, arbitration agreements, class waivers, representative discovery, overtime calculations, tip credit, good faith, willfulness, fluctuating workweeks, Motor Carrier Act, Equal Pay Act, and FLSA damages. I have represented employees in FLSA matters for over ten years. I have settled millions of dollars in FLSA claims both on an individual basis and on behalf of a class and collective. I have presented oral argument before the Fifth Circuit on novel FLSA exemption issues. I have also prevailed on numerous issues including but not limited to: conditional certification motions, on issues of representative discovery, on the application of exemptions, in misclassification cases, in off the clock claims, on FLSA waivers, in tip credit application cases, on good faith defenses, and on willfulness. I have deposed numerous corporate representatives pursuant to Fed. R. Civ. P. 30(b)6, presented numerous FLSA settlements for approval, prevailed in invalidating a class waiver, and prevailed in opposing motions to compel

arbitration. Moreover, I have also litigated FLSA cases in arbitration before the AAA, JAMS, and with private arbitrators. I have also assisted clients with their charges filed with the National Labor Relations Board (“NLRB”) regarding class waivers.

4. Altogether, the legal practice of the attorneys at Sosa-Morris Neuman, PLLC for the last seven plus years has been at least 80% FLSA litigation and most of that has involved cases litigated on a collective basis brought in district courts across the country. My firm has recovered millions in unpaid wages for thousands of workers across the country.
5. Sosa-Morris Neuman, PLLC keeps contemporaneous records of the time attorneys work on cases. Our fees are attached as Exhibit A to this declaration. It is my professional opinion that the work performed and the rates charged were reasonable considering the venue of this case and the issues involved. The total attorneys’ fees incurred in this litigation to date are \$25,500.
6. Prior to filing the Complaint, myself, and my law partner John Neuman spent hours interviewing the Plaintiff, researching the Defendant, investigating the veracity of Plaintiff’s allegations, reviewing documents provided by Plaintiff, researching the law as it applies to Defendant’s compensation system, reviewing PACER filings for any prior cases against Defendant or its management, and drafting the complaint. After we filed this case, we initially were required to seek a default because of Defendant’s failure to answer. After Defendant answered, this case was litigated through discovery and summary judgment.
7. Plaintiff also seeks recovery of a total of \$2,466.20 for the following expenses:
  - a. \$402 filing fee, as reflected on the docket of this case
  - b. \$95 for service of process (Exhibit B)
  - c. \$521.30 for the certificate of non-appearance from the August 5, 2024 deposition (Exhibit C)
  - d. \$1,447.90 for the September 27, 2024 deposition (Exhibit D)
8. As shown in Exhibit A, Sosa-Morris Neuman spent 51 hours litigating this matter. Please note that this accounting of time does not include time not yet incurred for further briefing, attendance at hearings or any other anticipated work performed in this matter. In addition to the hours described above. Exhibit 1 also does not capture the entirety of billable time my firm required to resolve this case. It omits a number of interoffice conference and tasks that I judged to be clerical in nature. I approximate the omitted time to be 5 hours.
9. The hourly rates and fees charged by myself and my law partner, John Neuman are more than reasonable for FLSA counsel. Attorney time on this case was billed at \$500 an hour. In my professional opinion, the time and billing submissions compiled in this case are reasonable, necessary, and reflect the use of billing discretion. Additionally, the

hourly rates are commensurate with the lawyers' levels of experience. I further suggest that the hourly rates used are consistent with the "Laffey Matrix" used by many district courts to assess the reasonableness of attorneys' fees. See [www.laffeymatrix.com/see.html](http://www.laffeymatrix.com/see.html). This hourly rate is also supported by the Nation Law Journal's survey, which places partner billing rates at a \$655 per hour average.

10. The rate of \$500 per hour is well within the range approved by other courts in this district, as the following cases demonstrate:

- *Valdepena v. Nuestro Sagardo Corazon Primary Home CARE Inc.*, No. 5:19-CV-94, 2022 U.S. Dist. LEXIS 192863, at \*5-6 (S.D. Tex. Sep. 15, 2022) (approving rates of \$500 per hour)
- *Carranza v. Cirlos*, No. 2:18-cv-419, 2020 U.S. Dist. LEXIS 147902, at \*2-3 (S.D. Tex. May 11, 2020) (\$500 hourly rate is reasonable)
- *Novick v. Shipcom Wireless, Inc.*, No. 4:16-CV-00730, 2018 U.S. Dist. LEXIS 198446, at \*7 (S.D. Tex. Nov. 21, 2018) (approving a \$500 hourly rate for work on an FLSA case)
- *Rouse v. Target Corp.*, 181 F. Supp. 3d 379, 385 (S.D. Tex. 2016) (finding that "500 per hour is a reasonable hourly rate" for work on an FLSA case).
- *In re Wells Fargo Wage and Hour Employment Practices Litigation (No. III)*, Case No. 4:11-md-2266 [Docs. 233-4, 239] (approving a \$550 hourly rate)
- *Vela v. M&G USA Corporation*, 2020 U.S. Dist. LEXIS 12649, at \*4 (S.D. Tex. Jan. 27, 2020) (approving rates of both \$450 and \$500 an hour for wage and hour matter)
- *Miller v. Raytheon Co.*, 716 F.3d 138, 149 (5th Cir. 2013) (upholding that "hourly rates of \$577.50, \$542.50, and \$280 were reasonable, customary rates" in an ADEA case)

11. My firm cannot accept every case that is offered to it due to limited resources. We have rejected cases due to our current case load. Therefore, because my firm worked on this case on a contingency basis, we were not able to work on other cases or take on some cases. My firm incurred a risk of not being paid at all on this case.

**I declare under penalty of perjury that the foregoing is true and correct.**

**Signed on February 7, 2025**

/s/Beatriz Sosa-Morris

Beatriz Sosa-Morris

Date	Billor	Hours	Rate	Total	Description
Wednesday, May 17, 2023	JN	1.3	\$ 500.00	\$ 650.00	Intake call with client, review timesheets, paystubs
Tuesday, June 6, 2023	JN	0.9	\$ 500.00	\$ 450.00	Research accountant FLSA cases, save various complaints and motions to file
Wednesday, June 14, 2023	BSM	2	\$ 500.00	\$ 1,000.00	Research defendant/prior lawsuit search (.5); create damage model (1.5)
Monday, June 19, 2023	JN	3.5	\$ 500.00	\$ 1,750.00	Review documents produced by client, draft complaint
Tuesday, June 20, 2023	BSM	1.1	\$ 500.00	\$ 550.00	Finalize and file complaint
Thursday, June 22, 2023	BSM	0.2	\$ 500.00	\$ 100.00	Verify calendaring for scheduling conference deadlines
Monday, August 7, 2023	JN	0.3	\$ 500.00	\$ 150.00	contact service company re summons, file returned summons
Monday, August 21, 2023	JN	0.3	\$ 500.00	\$ 150.00	phone call with client re next steps with the default
Tuesday, August 22, 2023	BSM	0.5	\$ 500.00	\$ 250.00	draft and file request for entry of default
Wednesday, September 6, 2023	BSM	0.3	\$ 500.00	\$ 150.00	review file for motion for entry of judgment
Thursday, September 7, 2023	JN	3.2	\$ 500.00	\$ 1,600.00	Draft motion for entry of judgment, fee declarations, finalize damage model for motion
Friday, September 8, 2023	BSM	1.2	\$ 500.00	\$ 600.00	Review, edit, and file motion for entry of judgment
Friday, September 22, 2023	JN	0.2	\$ 500.00	\$ 100.00	Review Defendant's answer
Thursday, November 2, 2023	JN	0.5	\$ 500.00	\$ 250.00	Draft JDCMP, email defenant re setting up Rule 26 conf.
Monday, November 6, 2023	JN	0.7	\$ 500.00	\$ 350.00	prep for and attend Rule 26 conf, revise JDCMP
Tuesday, November 21, 2023	JN	1	\$ 500.00	\$ 500.00	Draft initial disclosures, review client provided documents, verify redactions, serve
Friday, December 1, 2023	JN	1.3	\$ 500.00	\$ 650.00	Draft ROGs and RFPs, serve
Tuesday, January 23, 2024	JN	0.2	\$ 500.00	\$ 100.00	Email defendant re settlement, phone call re settlement with defendant
Monday, March 18, 2024	JN	0.3	\$ 500.00	\$ 150.00	emails with defendant re possible settlement, draft demand letter
Tuesday, May 7, 2024	JN	0.1	\$ 500.00	\$ 50.00	Email correspondence regarding trying to settle case
Thursday, May 23, 2024	JN	0.3	\$ 500.00	\$ 150.00	phone call with defendant re case status and possible settlement
Friday, July 5, 2024	JN	0.2	\$ 500.00	\$ 100.00	email with defendant re setting up court required mediation
Monday, July 15, 2024	JN	0.1	\$ 500.00	\$ 50.00	Email with defendant re defendant's attorney wants to withdraw from the case
Friday, July 19, 2024	JN	0.1	\$ 500.00	\$ 50.00	Email with defendant to check status on his motion to withdraw as counsel
Tuesday, July 23, 2024	JN	0.5	\$ 500.00	\$ 250.00	Draft 30(b)(6) deposition notice
Friday, July 26, 2024	JN	0.1	\$ 500.00	\$ 50.00	Email with defendant re scheduling corp rep deposition
Friday, August 2, 2024	JN	4.2	\$ 500.00	\$ 2,100.00	Draft deposition outline, prepare for deposition

Date	Billor	Hours	Rate	Total	Description
Monday, August 5, 2024	JN	0.5	\$ 500.00	\$ 250.00	Corp rep deposition--no witness appeared
Wednesday, August 7, 2024	JN	2.5	\$ 500.00	\$ 1,250.00	email with defendant re motion to compel deposition, draft motion to compel
Thursday, September 5, 2024	JN	0.2	\$ 500.00	\$ 100.00	emails with defendant re scheduling corp rep depo
Friday, September 6, 2024	JN	0.8	\$ 500.00	\$ 400.00	Prep for and attend motion to compel hearing
Friday, September 13, 2024	JN	0.4	\$ 500.00	\$ 200.00	Draft Second RFPs, draft new deposition notice
Thursday, September 26, 2024	JN	2.3	\$ 500.00	\$ 1,150.00	Prepare for deposition, review outline, download Alliance's tax filings
Friday, September 27, 2024	JN	3.5	\$ 500.00	\$ 1,750.00	Deposition of Travis Gordon
Monday, November 4, 2024	JN	6.5	\$ 500.00	\$ 3,250.00	Draft MSJ, review deposition testimony, located exhibits
Tuesday, November 5, 2024	JN	2.8	\$ 500.00	\$ 1,400.00	Finalize and file MSJ
Friday, November 8, 2024	JN	0.1	\$ 500.00	\$ 50.00	Review motion to withdraw
Monday, November 25, 2024	JN	1.5	\$ 500.00	\$ 750.00	Prep for and attend hearing on motion to withdraw attorney
Friday, January 17, 2025	JN	0.1	\$ 500.00	\$ 50.00	Review order to show cause
Friday, January 31, 2025	JN	1.5	\$ 500.00	\$ 750.00	Prep for and attend show cause hearing
Monday, February 3, 2025	JN	2.2	\$ 500.00	\$ 1,100.00	Revise motion for default, fee declarations
Friday, February 7, 2025	JN	1.5	\$ 500.00	\$ 750.00	Final and file motion for default judgment
Totals		51		\$ 25,500.00	

**INVOICE**

John Neuman  
Sosa-Morris Neuman  
5612 Chaucer Drive  
Houston, TX 77005

Invoice No.	Invoice Date	Payment Terms
1739396	7/6/2023	Net 30 @ 1.5%
Order No.	Order Date	Case No.
458107.001	6/29/2023	4:23-CV-2266
Case Name		
Edith Salmeron vs. Alliance for Multicultural Community Services		
Records Pertaining To		
Routine Summons Service		

Records From	Ordered By	Reference Info.
Alliance for Multicultural Community Services c/o National Registered Agents By and Through the Registered Agent 1999 Bryan St., Ste.900 Dallas, TX 75201	John Neuman Sosa-Morris Neuman 5612 Chaucer Drive Houston, TX 77005	Client Matter No.: Claim No.: Insured: D/O/L:
Routine Summons Service (Citations / Summons)		
Service of Summons		95.00 95.00
<b>TOTAL DUE &gt;&gt;&gt;</b>		<b>\$95.00</b>
VISIT <a href="http://WWW.LEXITASLEGAL.COM/BILL-PAY">WWW.LEXITASLEGAL.COM/BILL-PAY</a> TO MAKE A PAYMENT		
WE APPRECIATE YOUR BUSINESS.		

Tax ID: 47-2852736

Phone: 281-885-8630 Fax:281-885-8813

*Please detach bottom portion and return with payment.*

John Neuman  
Sosa-Morris Neuman  
5612 Chaucer Drive  
Houston, TX 77005

Invoice No. : 1739396  
Invoice Date : 7/6/2023  
**Total Due : \$ 95.00**

Remit To: **Lexitas**  
**P.O. Box 734298**  
**Dept 3001**  
**Dallas, TX 75373-4298**

Order No. : 458107.001  
BU ID : 5-SERV HOU  
Case No. : 4:23-CV-2266  
Case Name : Edith Salmeron vs. Alliance for Multicultural Community Services

**Exhibit B**

**Veritext, LLC - Texas Region**

Tel. 800.971.1127 Email: [billing-tx@veritext.com](mailto:billing-tx@veritext.com)  
 Fed. Tax ID: 20-3132569



Bill To: John Neuman  
 Sosa-Morris Neuman  
 4151 South West Fwy. Suite 515  
 Houston, TX, 77027

Invoice #: 7645001  
 Invoice Date: 8/19/2024  
 Balance Due: \$521.30

**Case: Salmeron, Edith v. Alliance For Multicultural Community Services  
 (4:23cv2266)**

**Proceeding Type: Depositions**

Job #: 6838078 | Job Date: 8/5/2024 | Delivery: Normal

Location: Houston, TX

Billing Atty: John Neuman

Scheduling Atty: John Neuman | Sosa-Morris Neuman

Witness: Corporate Rep. of Alliance for Multicultural Community Services	Amount
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Transcript Services	\$521.30
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Notes:

<b>Invoice Total:</b>	<b>\$521.30</b>
<b>Payment:</b>	<b>\$0.00</b>
<b>Credit:</b>	<b>\$0.00</b>
<b>Interest:</b>	<b>\$0.00</b>
<b>Balance Due:</b>	<b>\$521.30</b>

TERMS: Payable upon receipt. Accounts 30 days past due will bear a finance charge of 1.5% per month. Accounts unpaid after 90 days agree to pay all collection costs, including reasonable attorney's fees. Contact us to correct payment errors. No adjustments will be made after 90 days. For more information on charges related to our services please consult <http://www.veritext.com/services/all-services/services-information>

**Remit to:**  
 Veritext  
 P.O. Box 71303  
 Chicago IL 60694-1303  
 Fed. Tax ID: 20-3132569

**Pay By ACH (Include invoice numbers):**  
**A/C Name:** Veritext  
**Bank Name:** BMO Harris Bank  
**Account No:** 4353454 **ABA:** 071000288  
**Swift:** HATRUS44

**Invoice #:** 7645001  
**Invoice Date:** 8/19/2024  
**Balance Due:** \$521.30

Pay by Credit Card: [www.veritext.com](http://www.veritext.com)

**Exhibit C**

**Veritext, LLC - Texas Region**

Tel. 800.971.1127 Email: [billing-tx@veritext.com](mailto:billing-tx@veritext.com)  
 Fed. Tax ID: 20-3132569



Bill To: John Neuman  
 Sosa-Morris Neuman  
 4151 South West Fwy. Suite 515  
 Houston, TX, 77027

Invoice #: 7798771  
 Invoice Date: 10/17/2024  
 Balance Due: \$1,447.90

**Case: Salmerson, Edith, Et Al. v. Alliance For Multicultural Community Services (4:23cv2266)**

**Proceeding Type: Depositions**

Job #: 6930108 | Job Date: 9/27/2024 | Delivery: Normal

Location: Houston, TX

Billing Atty: John Neuman

Scheduling Atty: John Neuman | Sosa-Morris Neuman

**Witness: Travis Gordon , Rep**

**Amount**

Transcript Services

\$1,447.90

Notes:

**Invoice Total: \$1,447.90**  
**Payment: \$0.00**  
**Credit: \$0.00**  
**Interest: \$0.00**  
**Balance Due: \$1,447.90**

**TERMS:** Payable upon receipt. Accounts 30 days past due will bear a finance charge of 1.5% per month. Accounts unpaid after 90 days agree to pay all collection costs, including reasonable attorney's fees. Contact us to correct payment errors. No adjustments will be made after 90 days. For more information on charges related to our services please consult <http://www.veritext.com/services/all-services/services-information>

**Remit to:**  
 Veritext  
 P.O. Box 71303  
 Chicago IL 60694-1303  
 Fed. Tax ID: 20-3132569

**Pay By ACH (Include invoice numbers):**  
**A/C Name:** Veritext  
**Bank Name:** BMO Harris Bank  
**Account No:** 4353454 **ABA:** 071000288  
**Swift:** HATRUS44

**Invoice #: 7798771**  
**Invoice Date: 10/17/2024**  
**Balance Due: \$1,447.90**

Pay by Credit Card: [www.veritext.com](http://www.veritext.com)

B420241018

**Exhibit D**